

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
DOUGLAS McCALLUM,

Plaintiff,

- against -

NEW YORK CITY POLICE DEPARTMENT,

Defendant.  
-----X

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 8/11/2023

22-CV-81 (PAE) (RWL)

**ORDER OF SERVICE**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

Under *Valentin v. Dinkins*, a pro se plaintiff is entitled to assistance from the district court in identifying John Doe defendants. 121 F.3d 72, 76 (2d Cir. 1997). Plaintiff in this case, proceeding pro se, filed the Complaint on January 4, 2022, alleging that an unidentified member of the NYCPD falsely arrested and assaulted Plaintiff on December 15, 2019. (Dkt. 2.) On February 15, 2022, the Court issued a *Valentin* order instructing the New York City Law Department to ascertain the identity of the unknown police officer and file its finding on the docket. (Dkt. 7.) On June 27, 2022, Defendants responded, identifying Lieutenant Alberto Gonzalez. (Dkt. 15.) On November 7, 2022, Plaintiff filed the Amended Complaint, adding Lieutenant Gonzalez as a Defendant and alleged wrongful conduct by additional “John Doe” officers during their arrest of Plaintiff. (Dkt. 32.) On the same day, Plaintiff requested an additional *Valentin* order to identify the remaining officers. (Dkt. 33.) The Court issued the additional *Valentin* order on November 8, 2022. (Dkt. 34.)

On June 5, 2023, Defendants identified the following nine officers “believed to have information regarding plaintiff’s ... arrest.” (Dkt. 55.) The nine officers, which include Defendant Gonzalez, are:

1. Lieutenant Alberto Gonzalez
2. Detective Edgar Clases, Shield No. 1550
3. Detective Coty Green, Shield No. 1272
4. Detective Josue Marcelin, Shield No. 5026
5. Detective Jason Merchan, Shield No. 6462
6. Detective Donald Sehl, Shield No. 1527
7. Detective Ezequiel Martinez, Shield No. 1763
8. Detective Nelson Nin, Shield No. 5300
9. UC 0361

The Court previously issued an order for service for Defendant Gonzalez on March 6, 2023. (Dkt. 47.) The Court now issues service orders for the remaining eight Defendants, identified above from 2-9.

To allow Plaintiff, proceeding pro se, to effect service on the remaining eight Defendants through the U.S. Marshals Service, the Clerk of Court is instructed to complete eight new U.S. Marshals Service Process receipt and Return Form (USM-285 form) for the eight officers listed above at 2-9 at the following address:

One Police Plaza  
Room 110A  
New York, NY 10038

The Clerk of Court is further instructed to issue eight summonses and deliver to the Marshals Service all of the paperwork necessary for the Marshals Service to effect service upon those Defendants.

It is Plaintiff's responsibility to ensure that service is made within 90 days of the date the summons is issued and, if necessary, to request an extension of time for service.

*See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012). Plaintiff also must notify the Court in writing if his address changes, and the Court may dismiss the action if he fails to do so.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

---

ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: August 11, 2023  
New York, New York

Copies transmitted this date to all counsel of record. The Clerk of Court is respectfully requested to mail a copy of this order to the pro se Plaintiff and note service on the docket:

Douglas McCallum  
60 Clark Avenue  
Apt. B  
Staten Island, NY 10430